



## UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 10 2001

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/863,101	05/18/2001	Robert D. Mass	3118/1H146US1

CONFIRMATION NO. 9233

 07278  
 DARBY & DARBY  
 805 THIRD AVENUE, 27TH FLR.  
 NEW YORK, NY 10022

## FORMALITIES LETTER



\*OC000000006340870\*

Date Mailed: 07/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$134.
  - \$54 for 3 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 974.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/15/2001 KZENDIE 00000095 09863101

 01 FC:101 710.00 BP  
 02 FC:105 130.00 BP  
 03 FC:102 80.00 BP  
 04 FC:103 54.00 BP



08.13.01

Sector #

#3

EXPRESS MAIL CERTIFICATE

Date

8/10/01

Label No.

EL 903057159US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

A. DiLullo A. DiLullo

Name (Print)

Signature

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 3118/1H146US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert D. Mass

Serial No.: 09/863,101

Art Unit: 1645

Confirmation No.:

Filed: May 18, 2001

Examiner: Unknown

For: GENE DETECTION ASSAY FOR IMPROVING THE LIKELIHOOD OF AN EFFECTIVE RESPONSE TO AN ErbB ANTAGONIST CANCER THERAPY

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

COMPLETION OF PATENT APPLICATION

The following items are submitted herewith in completion of the above-identified patent application:

1. Declaration and power of attorney
2. Payment in the amount of \$ 1014, (\$ 844 filing; \$ 40 recording; \$ 130 late)  
in the form of:  
[X] check

☐ deposit account no. 04-0100  
☐ credit card (see attached form)  
(See attached **Fee Computation Sheet**)

3. ☐ Drawings, sheets (Figs. )
4. ☒ Assignment for recording to: GENENTECH, INC.
5. ☐ Applicant claims small entity status.  
**PARTIAL REFUND of all fees paid within last 2 months is REQUESTED.**
6. A copy of Notice to File Missing Parts of Application.

Priority is claimed for this application, corresponding application/s having been filed as follows:

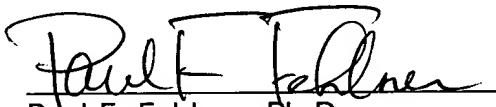
Country:  
Number:  
Date:

The priority documents ☐ are enclosed  
☐ will follow.  
☐ were filed in a previous application.

The Patent Office is authorized to charge any deficiency up to \$300.00 in the above fees, and to credit any excess, to our Deposit Account No. 4-0100.

Respectfully submitted,

Dated: August 8, 2001

  
Paul F. Fehlner, Ph.D.  
Reg. No. 35,135  
Attorney for Applicant(s)

DARBY & DARBY P.C.  
805 Third Avenue  
New York, NY 10022  
212-527-7700

Serial No. 09/863,101

Docket No. 3118/1H146US1

PATENT FEE COMPUTATION SHEET

	No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee . . . . .				\$710.00
Total Claims	23 - 20	- 0 = 3	x \$18.00	\$54.00
Independent Claims	4 - 3	- 0 = 1	x \$80.00	\$80.00
Multiple Dependent Claims		- if so, add	\$270.00	\$0.00
Surcharge for late submission of filing fee and/or declaration (\$130.00) . . . . .				\$130.00
SUBTOTAL . . . . .				\$974.00
[ ] Small Entity REDUCTION (Half of Subtotal) . . . . .				\$0.00
Fee for recordation of assignment (\$40.00) . . . . .				\$40.00
Charge for filing non-English language application (\$130.00)				\$0.00
TOTAL . . . . .				\$1014.00